

SOCIAL SERVICES COMMITTEE  
of the  
SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Social Services Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York on **Tuesday, June 18, 2002**.

Members Present:

Legislator Paul Tonna - Chairman  
Legislator Vivian Fisher - Vice-Chair  
Legislator Brian Foley  
Legislator William Lindsay  
Legislator Lynne Nowick  
Legislator Caracciolo

Also In Attendance:

Paul Sabatino II - Counsel to the Legislature  
Sylvia Diaz - Deputy Commissioner of Social Services  
Bill Jones - Department of Social Services  
Al Seitelman - Department of Social Services  
Roger Barbaro - Department of Social Services  
Vicki Mo - Department of Social Services  
Ed Hogan - Aide to Legislator Nowick  
Ellen Martin - Aide to Legislator Tonna  
Kim Brandeau - Budget Review Office  
Todd Johnson - County Executive's Office  
Mary Schneider  
Bob DeAngelis  
Carol Heoffner  
All other interested parties

Minutes Taken By:

Donna Barrett - Court Stenographer

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(\*THE MEETING WAS CALLED TO ORDER AT 11:33 P.M.\*)

CHAIRMAN TONNA:

All rise for the Pledge of Allegiance led by Legislator Nowick.

SALUTATION

CHAIRMAN TONNA:

Okay. Thank you very much. I know Legislator Foley's here. We're going to -- we're going to do the agenda first, which is two bills, and then we're going to do the cards, because I think there are some concerns with regard to Southampton Motel and some other things. Okay. But just so that -- all right.

INTRODUCTORY RESOLUTIONS

1714-02. Accepting and appropriating 100% Federal funding for the provision of Non-Residential Domestic Violence Services in the Department of Social Services and authorizing the County Executive

and the Commissioner of Social Services to amend contracts. (COUNTY EXEC)

CHAIRMAN TONNA:

I'm going to make a motion to approve Introductory Resolution Number 1714. Motion by myself.

LEG. CARACCILO:

Second.

CHAIRMAN TONNA:

Seconded by Legislator Caracciolo. All in favor? Opposed? APPROVED. I'd ask that we put that on the consent calender. I guess I have to make a motion, seconded by Legislator Caracciolo. All in favor? Opposed? Approved? That's going to be on the consent calendar. (VOTE: 6-0-0-0)

Oh, well, actually, it's not prime, so I guess it isn't. Or is it prime? Yeah, this should be -- who does my agendas? Yeah, it is prime. But there should be a prime on the agendas in the future. Right? Whoever does that, in the future there should be a "P" somewhere.

1715-02. Accepting and appropriating 100% Federal funding for the implementation of a new component of the Sanctions Research Project in the Department of Social Services known as the "Targeted Intervention Project," transferring 100% TANF Services Block grant funds, creating a position and authorizing the County Executive and the Commissioner of Social Services to amend contracts. (COUNTY EXEC)

CHAIRMAN TONNA:

Same motion, same second, same vote for 1715. All in favor? Opposed? APPROVED (VOTE: 6-0-0-0). Then I'll make a motion to put it on the consent calendar. Same motion, same second, same vote for 1715. All in favor? Opposed? Approved.

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CHAIRMAN TONNA:

Okay. Great. Now that we're done with the agenda, I think that we have cards, and I'd like to start are card number one, Bob DeAngelis. Bob, are you here? Hey, Bob, how are you? Please come on up. Either you want to sit down or you want to stand at the podium, just let's make sure that the microphone is on and --

MR. DEANGELIS:

Can I sit down?

CHAIRMAN TONNA:

Yeah, we're informal here at the committee. Bob, I don't have a timer, but you basically have about three minutes, and then if there's any questions. Please, make yourself at home.

MR. DEANGELIS:

Okay. Can you hear me?

CHAIRMAN TONNA:

Can you hear -- you can hear me, right? Okay. I can hear you.

MR. DEANGELIS:

I came today to speak briefly about Social Services and my experience

with them. I am a Huntington resident. I'm a retired Russian interpreter and cryptologist, and I have 32 years of background in finance. I'll just proceed reading from my notes. Okay. I had called Child Protective Services to help with the mother of my children who had problems with alcohol abuse, mental illness and an ongoing abusive relationship with her estranged husband. When I called to follow up on their progress, the caseworker claimed that I was no better than her client, whom she called her client, because I had a criminal record which was astounding, I don't have a criminal record. Not only don't I have a criminal record, but her so-called facts pertain to the client's estranged husband. She never met me, never agreed to meet with me, and she said it was not necessary to know anything about me or the nature of the mental illness of the mother of my children. Subsequently, charges were filed in criminal court against me by Child Protective Services claiming that I used excessive force in preventing the mother of my children from driving while intoxicated. Although, I was found not guilty in criminal court, I was tried again three days later in Family Court and found guilty of using excessive force. Incredibly, the judge ruled that although this may have saved the lives of the mother, the children and other individuals driving, this -- this act -- sole act constituted negligence of my children. And I was immediately denied seeing them and denied returning to my residence. It's a bizarre decision which is now under appeal. That was despite the fact that CPS knew that I was the sole individual driving the mother to drug and alcohol abuse counseling.

I understand the caseloads of -- because I've been a capable administrator for many years. They have many, many people to assist, but in my particular situation, I never encountered such a bizarre collection of marginally trained individuals. For example, the CPS caseworker and her supervisor claimed that it was not necessary to understand the nature of the mental illness in order to assist the

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mother. And when the caseworker was told there was anxiety in the children because a local teenager had threatened these children and other neighborhood children with an ax, no investigation was made because that was considered a police matter. And yet, during that time, nothing was done about me who was supposed to be a threat to them too. They also said it was up to the mother to handle the matter and not them.

The biggest outrage of all was a so-called law guardian, slovenly individual who missed courts dates, appointments with the children, demeaned the programs of Suffolk County to help -- designed to help families in the first place, demeaned the presiding judges and who in my case, subordinate perjury by the CPS caseworkers. Myself and other parents, during the course of preliminary investigations, found that incidents of bribery, disturbing behavior and alcoholism, even amongst caseworkers coming to the house intoxicated or smelling of alcohol on their breath. I think this merits looking into. I couldn't imagine not weeding out the probably handful of rotten apples that cause this type of problem. I think the majority of caseworkers are conscientious people. But to have individuals running around like this that are poorly trained, one or two that solicit bribes and not to examine the capability of law guardians who say, you know, who alarm a mentally ill person and say, the judge -- this is the judge's pet program, don't bother with it. They really don't know what they're doing. I mean, what can you do as a parent?

I've only cried a couple of times in my life. And once was at the death of my parents. And this has practically reduced me to ashes. I've never had to deal with an element like this. So people who when they came to the house confided that they didn't really like the job, they just did it temporarily. Or as one man who came temporarily said, if you think she's a waco, my wife's worse, I feel bad for you, but there's nothing I can do. A couple of years before this incident, I -- the mother of my children was arrested as a stalker. And I thought that was an outrage, she had problems. After that, I was arrested. And the district -- a member of the District Attorney's Office told me, well, we're not going to help you, although we know the case, because you didn't help us. Meaning that when I said, gee, I don't think she should get two years because she has problems and, you know, she should be in a drug treatment program -- it didn't exist then, of course. Now they're telling me that I didn't cooperate with them, so they were not even going to listen to what I had to say.

I hope that something can be done about looking into this matter. I'm available. I've never met Commissioner Hickey, I don't know anything about him. But my education, I'm probably in the 1%, I have excellent administrative capabilities. I'd be glad to meet with him and others to show you how something can be done about better administration or looking or screening. I'm not here just to criticize, but I know other parents have already met with investigative reporters, and that's not my style. My father was with the Times for 50 years, I know them all. But I'm very proud of being a Suffolk County resident, we've been here since the 1900s. And we learn to do it through our people here in Suffolk. So I've come -- as opposed to some of the other parents, I've come to appeal to you to try to do something about this. And I'm available to talk to anyone. Thank you very much.

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CHAIRMAN TONNA:

Just -- there's a lot that you've said, and it's going to take me a little time to intergrate it all. But the one thing, solicit bribes, how does that work? I mean, how do you -- how does a CPS worker --

MR. DEANGELIS:

Law guardian.

CHAIRMAN TONNA:

Oh, law guardian.

MR. DEANGELIS:

Yeah. We had -- we had some parents from Nassau and some from Suffolk. And we had a lot of help from individuals that we knew in the law libraries and everything. And it was kind of amusing, we were talking one day, and one of the law librarians in another county, I think it was Westchester, was telling us how a couple of top attorneys put books under their -- in their pants and was stealing them. These guys were making over 500,000 a year and they has to steal the -- some of the books. And then we talked about ethical issues and some of the children of these individuals who were in the District Attorney's Office and the reputations of the different law guardians. One woman, her husband had paid the law guardian \$5000. That's what she said. And there were enough instances that -- that it was credible, and then it happened to me. But it was indirectly.

CHAIRMAN TONNA:

What happened to you? That's what I'm trying to understand.

MR. DEANGELIS:

In my particular instance -- attorneys are smart. No one's going to come and ask for a bag of money.

CHAIRMAN TONNA:

That's a matter -- that's a matter of large debate. I'm on the other side of that debate.

MR. DEANGELIS:

They're smart to ask for a bag of money, so in my particular case, I got a call from a secretary who wasn't even literate, and she was -- asked about the envelope. I didn't know what she was talking about. I just thought it was papers I had to bring. And then she saw -- I detected in her voice she wasn't sure I knew what I was -- she was talking about. Then a second one called about the envelope, then a third one called. I realized that there was a whole, I guess, layer of people in this. The envelope -- when I got the gist of it -- I was a little slow on this -- I took a envelope, a plain brown envelope, and I stuffed it with paper, and I slipped it into the -- the law guardian's office. There was nothing in it. And then when they called back saying there was nothing in it except papers that should have been in there and some other stuff, papers, I knew it had to be about money. I've been an investigator since I was a young man, and I'm not that slow.

CHAIRMAN TONNA:

Did you go to the District Attorney to talk to him?

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MR. DEANGELIS:

Yes, I did. They -- there were --

CHAIRMAN TONNA:

How long was this that you talked to the District Attorney.

MR. DEANGELIS:

Several months ago. It was interesting, I was treated very well.

CHAIRMAN TONNA:

This is the new District Attorney or the old District Attorney?

MR. DEANGELIS:

The old one.

CHAIRMAN TONNA:

Okay. Maybe we need to go to the new one. But anyway, go ahead.

MR. DEANGELIS:

Well, they showed me what they had on different individuals, you know, in terms of the volume of paper. And basically, they told me if I didn't have a tape, I didn't have a chance. But it was interesting, one -- I guess they were the equivalent of an inspector general, one -- one man was extremely professional, extremely professional, the other fellow --

CHAIRMAN TONNA:

In the District Attorney Office you're talking about?

MR. DEANGELIS:

Yes. The other fellow he was good on the phone, but, I mean, it's almost -- I mean, he could have been part of a situation comedy. He thought he caught a spy or something like that. He didn't think I was who I was. He said I sounded too literate to be Bob DeAngelis, which was a ridiculous statement. He thought I was an attorney in disguise or something like that. And it was -- it was something. The other fellow was embarrassed. He wanted to check my identity, which I could see and all that. Then he asked me what branch of the government I work for and all this, and who had my paycheck. He's like a -- he saw too many spy movies I think. But the District Attorney I think tried, and explained to me why it was difficult unless I had a tape, video or audio.

CHAIRMAN TONNA:

The District Attorney's Office, not the District Attorney.

MR. DEANGELIS:

Yes, the inspector general, I guess he was the equivalent. I don't remember what it's called, the commission in -- I can't remember the --

CHAIRMAN TONNA:

Okay.

MR. DEANGELIS:

But it was a specific.

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CHAIRMAN TONNA:

Do you have a name somewhere in your records.

MR. DEANGELIS:

In my notes. It's in my notes. But I couldn't have been treated better. He listened very carefully, and then he told me, you know, also how it could be misconstrued and then he said something that really was disturbing. He said, look, I'm even afraid of Child Protective Services. You go after anyone like this especially the law guardian and you don't have enough information, he says, they'll crush you. He says, just go before the judge and smile and take your punishment even if they lied, and then go home and try your best. He says, don't present yourself as anyone off the wall or a crusader or anything like that. He gave me advice as a father, not as an investigator.

CHAIRMAN TONNA:

Okay. Now, so when you talked about bribes, you were talking about law guardians, you weren't talking about CPS workers.

MR. DEANGELIS:

No. No. Not at all. They -- the three or four we had were conscientious. I don't know how two of them were hired in the first place, but, no, none of them were part of that.

CHAIRMAN TONNA:

Thank you. Legislator Caracciolo and then Legislator Nowick.

LEG. CARACCILO:

Mr, DeAngelis, as the Presiding Officer indicated, you -- you have mentioned quite a few allegations this morning. And maybe we can just

go back to the beginning of your statement where you talked about two CPS workers, and in your view of your opinion, individuals who were less than qualified and apparently not very happy with their job and so forth. How did that relate specifically to your wife and your children's circumstance?

MR. DEANGELIS:

Well, they -- when they -- the investigator saw that there was a problem with the mother of my children, but she -- she thought that maybe she had pushed too far by myself. And she said, you're no better than she is, you're a criminal. And she said she had documentation that I had a criminal record, which I don't know how she could have gotten that.

LEG. CARACCIOLO:

Well, earlier you denied having a criminal record. You do not have a criminal record.

MR. DEANGELIS:

No.

LEG. CARACCIOLO:

Okay. Then what would have been the basis for her to make that statement? Was there something in your file that indicated otherwise?

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MR. DEANGELIS:

She wouldn't reveal that at all. I had been -- I didn't have a criminal record, but I was arrested for taking the keys away from her while -- while she was driving -- attempting to drive while intoxicated.

LEG. CARACCIOLO:

What was the charge?

MR. DEANGELIS:

I guess it would be assault in the third degree. I guess that's what it was. But that's what was known in the investigation, there was no trial or anything, you know, it was just --

LEG. CARACCIOLO:

Did you retain the services of a lawyer to represent you?

MR. DEANGELIS:

Yes.

LEG. CARACCIOLO:

And what was the disposition of the matter?

MR. DEANGELIS:

Not guilty.

LEG. CARACCIOLO:

Okay. So it actually went to court?

MR. DEANGELIS:

Yes, it did. Oh, yes.

LEG. CARACCIOLO:

So in essence, it was dismissed?

MR. DEANGELIS:  
Yes, it was dismissed.

LEG. CARACCIOLO:  
And when did that take place?

MR. DEANGELIS:  
Quite a few months after the incident. It took at least six months to get to trial.

LEG. CARACCIOLO:  
How long has your wife and children been in the status of supervision of Child Protective Services?

MR. DEANGELIS:  
I believe since September of 2000.

LEG. CARACCIOLO:  
Over that period of time, was there a continuous relationship with particular CPS workers or did -- were different workers assigned at different times?

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MR. DEANGELIS:  
There was one, but she missed so many appointments, there were substitutes. Nominally, there was one. She came, she was a very young women, she was very, very friendly. And she didn't mind telling us that she was just doing this because she either got, I guess, dismissed from her teaching job and this was pretty easy money. I mean, that was pretty bizarre to hear that, that she liked it and all that and her friend got her the job, and it very professional. She had a very brief conversation with me, and I worked very hard to get Eleanor into a program approved by a couple of other psychologists, which CPS agreed was superior to what they had.

LEG. CARACCIOLO:  
At any time did you bring your dissatisfaction with Child Protective Services to any of their superiors?

MR. DEANGELIS:  
Yes, I did. First I had spoken to someone in Westchester. And then when I followed up in Suffolk County, they denied that office even existed. They said that -- they claimed -- the supervisor here in Suffolk said that that office had no jurisdiction whatsoever in Suffolk County, none whatsoever and denied that they were even contacted, then they launched another investigation from Westchester, then they said they found no irregularities whatsoever.

LEG. CARACCIOLO:  
Why would Westchester County have been involved?

MR. DEANGELIS:  
I was told that that's where I had to appeal first. The -- that the -- there was a headquarters that is where I had to start. When I had called the Governor's Office, they said I had to start with Westchester. Those were the only -- and they said they were indeed supervisors over Suffolk County. I mean, that's all I could go by.

LEG. CARACCIOLO:

I am a little confused. Your wife and children reside in Suffolk County?

MR. DEANGELIS:  
Yes.

LEG. CARACCILOLO:  
Okay. It would be very unusual for someone to direct you to another county.

MR. DEANGELIS:  
Well, this is where the headquarters -- they told me the headquarters were. And there's where they conducted the investigation, the that's where the final letter came from, from that office saying that their investigation was completed and they found no irregularities.

LEG. CARACCILOLO:  
Would this have been someone in a state agency as opposed to a county agency in Westchester?

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MR. DEANGELIS:  
Yes, I believe so. Right.

LEG. CARACCILOLO:  
Okay. So it was someone in state government who would have some oversight other local Child Protective Services?

MR. DEANGELIS:  
Yes, that seems to be the case.

LEG. CARACCILOLO:  
Okay. Do you have -- did you record who it was you met with or had conversations with?

MR. DEANGELIS:  
In -- I have in my correspondence and in my notes at home I have everything.

LEG. CARACCILOLO:  
Okay. Locally then in Suffolk County, did you meet or speak to anyone in a supervisory capacity in Suffolk County Child Protective Services?

MR. DEANGELIS:  
Yes. Mrs. Jones, I believe, and she wasn't amenable to any kind of discussion whatsoever.

LEG. CARACCILOLO:  
Did you meet with her or have a phone conversation?

MR. DEANGELIS:  
Phone conversation, she wouldn't meet with me.

LEG. CARACCILOLO:  
Do you know what office she was attached to?

MR. DEANGELIS:  
Hauppauge.

LEG. CARACCILOLO:

And do you have her first name?

MR. DEANGELIS:

I just remember her last name was Jones, but that's in my notes as well.

LEG. CARACCIOLO:

Okay. In essence, you brought to her attention your concerns, your dissatisfaction, with the way you were being treated and the way your case was being treated.

MR. DEANGELIS:

Yes.

LEG. CARACCIOLO:

And her response was?

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MR. DEANGELIS:

Well, I told her that I had been found not guilty in criminal court, and then three days later --

LEG. CARACCIOLO:

You told her there was an allegation by your case worker.

MR. DEANGELIS:

Yes. But that we discussed later on that I had been found not guilty in criminal court and then found guilty three days later for the same thing in Family Court, and I had said that the caseworker changed all the facts around, the dates the chronology, everything. And she didn't want to hear about that. Everything was changed. The -- and I also asked her, you know, how could stopping someone from driving while intoxicated constitute negligence of children. She wouldn't answer that either. She said there were other things in the file, and I said, what other things. And she wouldn't even discuss that with me as well.

LEG. CARACCIOLO:

Now, this is a personal question, and I hope you don't take it in the wrong way, but it's one that has to be asked. Have you ever been treated for any type of mental illness or disease?

MR. DEANGELIS:

No. I have a rare blood disease {Prophoria}, but I have sometimes concentrations problems. It's affected my speech. When I was tested, I'm still -- I used to be in the 1% in communications, now I slipped to five, I guess. But it diminished somewhat my speaking ability, but not noticeably. I practice very hard.

LEG. CARACCIOLO:

Now, Child Protective Services, there's never been a complaint filed by your former spouse against you for any type of abuse or mistreatment of her, the children?

MR. DEANGELIS:

She did file some complaints, but then she -- after treatment and property medication, she wrote a notarized statement that she had -- that those incidents never happened.

LEG. CARACCIOLO:

And when were the allegations, and when were the -- when was the statement written?

MR. DEANGELIS:

Her statement was probably in -- approximately in December of 2000, after she left the ward for psychiatric treatment and was on -- was stabilized with medication.

LEG. CARACCIOLO:

You mentioned that there was an incident where some neighborhood children attempted to either assault or allegedly assault your children. How old are your children?

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MR. DEANGELIS:

They're -- at the time they were eleven and four.

LEG. CARACCIOLO:

And was that incident reported to the police department?

MR. DEANGELIS:

Yes, I had to report it. The mother was intimidated by this boy and so were the neighbors and so were the -- so was my son's grandfather.

LEG. CARACCIOLO:

What was the disposition of that matter.

MR. DEANGELIS:

He got, I think, two years probation, a fine -- two years probation, a fine and he has to go psychiatric -- we insisted that he not get any jail time, because he has problems.

LEG. CARACCIOLO:

We have -- we have representatives of the Department of Social Services here. After you speak, I'd like to raise some issues with them as to your particular case, and who, in a supervisory capacity, above Ms. Jones was made aware of your allegations today.

MR. DEANGELIS:

All right. Thank you.

LEG. CARACCIOLO:

Thank you.

LEG. NOWICK:

I just had one or two quick questions. I'm a little concerned when you speak about the law guardian. Just to make it clear to me, the law guardian was appointed by the court?

MR. DEANGELIS:

Yes, the law guardian was appointed by the court.

LEG. NOWICK:

Is this a guardian ad litem for your children?

MR. DEANGELIS:

Yes.

LEG. NOWICK:

I'm just a little confused. The guardian ad litem is appointed by the

court to represent your children, am I correct?

MR. DEANGELIS:

Correct.

LEG. NOWICK:

What -- you speak about bribes, what -- if you were to give them money, and that would be a bribe, what would they have then done? What did -- what did they stand -- what do you stand to gain if you give money?

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MR. DEANGELIS:

From the other parents that I discussed, who's spouses had given bribes, I know bragged about it, favorable disposition saying that, you know, the' fathers a worthy father, he shouldn't be separated from the children, or the mother is -- is -- maybe shouldn't have custody anymore, something favorable to one parent over the another, so I gather.

LEG. NOWICK:

In other words, you would give the law guardian money to tell the judge that the children could come live with you?

MR. DEANGELIS:

Yes. Or have overnight visits, more favorable treatment or more hours, whatever it was.

LEG. NOWICK:

Did you go to the administrative judge of the, I guess it would be Family Court, and mention this, or you have no proof, so you feel you can't?

MR. DEANGELIS:

I got an assistant, and the -- the judge involved -- the two judges involved were both women, they were extremely capable. And the -- I think one was Judge Pach, but I didn't get to speak to her. I got her intermediary, I can't remember her name. But when I expressed concern about certain things, Judge Pach acted immediately, immediately especially about the medical, dental and everything like that. They didn't answer me, but they made sure the children got the medical care immediately.

LEG. NOWICK:

Did you say that your were unhappy with the law guardian? Did you say the law guardian did not --

MR. DEANGELIS:

I wasn't just unhappy with the law guardian. Here's where we met with her, myself and Eleanor, and she's telling a person who's mentally ill that the judge and the programs are out to get her. That they'll, you know, these programs weren't worthy of her and that eventually they'll just keep on stringing her along indefinitely. The law guardian alarmed her. She struck me as a very unhappy individual. Her practice wasn't that good, she wasn't esteemed by her colleagues. And it was -- looked she tried to make herself more important than anyone there at the expense of the system, the judges and the programs.

LEG. NOWICK:

I don't suppose you would tell us who that law guardian is?

MR. DEANGELIS:

I'd rather not do that publically. The law guardian -- I'd like to say the law guardian never asked me for money herself, but there were too many instances by the staff of the envelope. I mean, I'm not -- I'm not off the boat, I know what an envelope is. And I've dealt in finance for many years, and if you worked something five different ways, it's -- you get the message after a while.

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LEG. NOWICK:

When you went to the administrative judges in the court, are they -- would they be looking into this matter of the law guardian, or is she still being used, or?

MR. DEANGELIS:

She's still being used. The -- although Judge Pach's assistant apparently said something immediately about the medical care, which was taken care within a few days, they wouldn't touch the other thing at all. Nothing, they wouldn't touch it.

LEG. NOWICK:

You probably could go to a different level of the court system, if you felt so agreed.

MR. DEANGELIS:

From the point of view of investigators, without tape, without more evidence -- they showed me the type of evidence they had that I thought would indict anybody. I just didn't even come close. That's what I was told. One -- but I must say there's a big difference in investigators. The one investigator from the District Attorney's Office was professional, he was -- as a father, he made me really feel good in what I was trying to do. And the other fellow, if I were an criminal, I'd love to have him as an investigator, because I don't think he could find the other end of his ass. It's amazing. He was rude, crude and unfeeling. And it was almost comical that he thought I was a substitute Mr. DeAngelis, I was someone else impersonating myself. And it's like he caught a spy or something like that, he was almost comical. It was almost trying to discredit me, whereas the other individual seemed to want to search for the truth, and said, look, this is what we have on other individuals, not naming them, of course, and this is what can happen if the law guardian finds out. It was good advice and very professionally done.

LEG. NOWICK:

Okay. Thank you.

LEG. FISHER:

Are there any other questions?

LEG. CARACCIOLO:

Yes.

LEG. FISHER:

Well, we want to see if there are any other questions regarding Mr. DeAngelis.

LEG. CARACCIOLO:

Mr. DeAngelis, was there anyone else that you spoke to about this matter besides the District Attorney, officials in the Family Court,

CPS workers? Anyone else?

MR. DEANGELIS:

Well, I -- I spoke off the record to two attorneys who knew the work of the law guardian and how -- to see what their opinion was. And it was nothing derogatory in terms of anything I could find out from

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them. They just felt that she was marginally competent and shouldn't be a law guardian. And, in fact, I tried -- an expression I haven't heard since I was a boy is that she was dopey. I haven't heard that one in a long time. You know, and I -- coming from an attorney that's -- I respect very much, I didn't even think he'd use a word like that, but that's scary, because dopey's pretty -- the connotations of that are pretty scary when you have someone who's either doing an operation or representing you.

It's just that what hurt most of all was how she alarmed the mother of my children, as if -- I think Judge Pach's program was well intentioned, I think it was worth trying. She demeaned it so much as if she knew it was -- it was designed to get the person -- the individual. In other words, to keep them in the program for as long as possible, string them along. And it took me three months to console her. I mean, thinking that every session was going to be something they would find out and everything. But finding out more about Judge Pach and everything and telling Eleanor about that was helpful. I -- I like Judge Pach. I like the way she rules, she's a very fair person. And the administrative judge as well -- I'm sorry, I've forgotten her name -- she was sharp, but some of the others -- some of the other judges, the way they treated individuals was appalling; talking to individual before them, like one woman who was concerned about her husband coming unsupervised to get his tools and hitting -- and beating her as he had done before. And the judge railed at her, I mean, it just didn't make any sense. Unless she looked his sister-in-law that he didn't like. But it just didn't make any sense to talk to a woman like that, or anybody. And not all of it -- I mean, there was some comical things there, but when you're a father, it's not too comical when you lose your children. I only can -- you know, in raising my children I can only think of the way I was raised. And doing for the community was just part of it. My work was very lonely and secretive, cryptologists only have one type of work. And it isn't -- you don't even tell people what you do when you go to work. And there's nobody -- it's not like Tiger Woods, you know, or anything like that. The pay isn't terrific, but in finance I made up for it. And I raised all of my children to do whatever they want, but they had to know two other languages so they could understand other cultures.

When these people came into my life, I almost felt worthless as a father. I mean, it was like I was a criminal and they conjured up things, they changed things in the courtroom. One courtroom, the judge was hard, astute, he knew the law and he was fair to everyone. I can say he was fair to everyone, not because the jury decided in my favor, he was fair to everyone. The other judge it was if a coconut fell on his head. He looked like he was in there after a coconut falling on his head wondering, he what he was doing there. You know, it was like you've tapped him on the shoulder -- if he fell asleep, I wouldn't be surprised. But how can preventing someone from driving -- and he said this, you probably saved the lives of the children, you probably saved the lives of people on the road, you probably saved the

life of the mother; however, what you did constituted neglect of your children, so. And then he proceeded to take them away. So I saw them once -- until recently, once for one hour every two weeks with someone with a note pad like that.

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LEG. FISHER:

Supervised visitation.

MR. DEANGELIS:

Supervised visitation. I must in closing, that the programs I did participate in; anger management and such were all very helpful. Only not to the instructor, but the other fathers in the class. I found out one thing, all fathers love their children in similar ways, and they'll do anything for their children. And that was one of the best experience of my life. And the psychiatrist -- the psychiatric evaluation, well, I felt the psychiatrist needed a psychiatrist. But the parenting class was great, they were just wonderful people, very professional. So that experience made it worthwhile. I learned a lot about myself and other parents. That's all I have to say.

LEG. CARACCIOLO:

Okay. Specifically, before you conclude, what is it that you would like the Legislature to look into?

MR. DEANGELIS:

I'm not here for myself, because I'm closing out this incident with the attorneys, but for the sake of other parents, other dedicated parents and fathers, let's do something about who's hired in this County, review when a -- someone writes in about a law guardian's conduct, let's look into more carefully. Let's look at what the practice is. We can't give -- make the law guardian someone who's desperate for work because they're not a very good attorney to begin with. And there's a big difference between personality conflict and a law guardian who demeans what the County's doing, what CPS is doing and what other people are doing for the benefit of the children or families. We can't have law guardians like this. Forget about the bribe stuff, she's too shrewd this one, doesn't she doesn't deserve to be -- certain workers don't deserve to be part of in system here. They do to much harm, and we don't need that. I like being an parent. I never thought it would be one of the most enjoyable things in my life. And I've done a lot.

I would like to be, before I end, to be as good father as my father was and as good a parent as my mother was. And they were successful in that way. And my father was a powerful man, but he never -- he was always very generous and kind. And he can get anything printed in the Times, but he never used his power to destroy any careers or anything like that. He used it with discretion. And I know that if he was still here, he -- he'd be happy to see me to know that I used my power the same way. Let's reform this thing, you know, I'm willing to be a volunteer. Let's do something for families. That's what it's all about. I'm not trying to further my cause. I've gotten my lumps and, you know, I took them, I had to pay for attorneys and everything else. But there are some fathers that won't handle this well, some mothers that won't handle this well. Maybe they'll --

LEG. FISHER:

Thank you, Mr. DeAngelis. What I'm going to do is I'm going to ask

the Deputy Commissioner to come forward so that he can help us understand what kind of recourse somebody such as yourself would have, areas where they could make complaints, etcetera. Thank you for

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bringing this forward.

MR. DEANGELIS:

Thank you for your time today.

DEPUTY COMMISSIONER DIAZ:

Good afternoon.

LEG. FISHER:

Good afternoon. Before we go into any other areas, I wanted to just review some of what Mr. DeAngelis had -- had brought forward. Just so that you could tell us Sylvia, education us on how an individual such as Mr. DeAngelis could make complaints, where does one go, who is the supervisor of the law guardian, did he -- going to the judge, Judge Pach, was that the right way to go? Obviously, he felt he had some support from Judge Pach and she listened. But what does an individual do?

DEPUTY COMMISSIONER DIAZ:

We're at a little bit of a disadvantage because we don't know the particulars of Mr. DeAngelis -- Mr. DeAngelis's case. However, we are -- we would like to certainly get a little more information and look into it from the DSS perspective. Actually, I have Vicki Mo here who could -- who could speak to the process by which people can voice their concerns about the -- the capabilities and the work of a caseworker. You have two different --

LEG. FISHER:

Jurisdictions.

DEPUTY COMMISSIONER DIAZ:

Yes. You have two different institutions here that we're looking at. As I was listening to him, I was trying to distinguish between the two and where -- where our role needed to be verified.

LEG. FISHER:

That's what -- that's exactly what we want you to clarify for us.

DEPUTY COMMISSIONER DIAZ:

Vicki will go ahead and --

LEG. FISHER:

State your name for the record.

MS. MO:

It's Vicki Mo. I'm the Division Administrator for the Family and Children Services, and we're responsible for the Foster Care Program and Child Protective Programs in Suffolk County. There are just a few points I would like to clarify, because I think that there has been some confusion related to the various roles. And number one, the law guardian is an attorney that is assigned to represent a child in a Family Court proceeding. And this is something that happens everyday on every case that goes in front of Family Court. There are attorneys that are assigned to Family Court that handle this, and then there are what is called 18B private attorneys that can be assigned by the judge

to handle the law guardian responsibilities. If you have a problem

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related to a particular law guardian, I think, you know, you have to work within the judicial system. And I think Mr. DeAngelis has done appropriate things to bring it to a judge's attention, also to the Bar Association if he feels that there's been some misconduct. And certainly with the District Attorney's Office if he feels that in some way there's been some criminal activity.

One of the other issues that Mr. DeAngelis brought out is the dual nature of the having concurrent criminal and Family Court proceedings. And very often this does occur on our cases, where CPS is involved in Family Court related to non-criminal matters, civil proceedings, the actions of the respondent could rise to the level of a criminal activity be concurrently investigated by the police department and then decisions made by the District Attorney's Office to prosecute the case. And this I think reflects what happened in Mr. DeAngelis's case. Whatever the particulars, whatever the action, brought us both to Family Court for civil remedies related to his children, the safety of his children, and concurrently went before Criminal Court because it was some kind of criminal activity. And very often it is not unusual that a criminal matter could be dismissed or a person could be found not guilty, and yet, there could be a positive finding in Family Court, simply because the levels of evidence are different in each of those proceedings. And again, CPS does not initiate criminal proceedings, that is strictly up to the police to investigate and the District Attorney's Office to bring the matter forward for prosecution.

Any specific complaints related to a caseworker or activity by the Social Services Department relating to investigation, you have various opportunities. You can bring the matter forward administratively through my office, through the supervisor's office, the director's office, my office. And a second level is I believe what Mr. DeAngelis referred to as going to Westchester. There is an office of Family and Children's Services located in Yonkers; OCFS supervises the local districts in terms of whether or not we adhere in the New York State Law or also whether we follow the New York States Regulations that are established by OCFS. And we report -- in Suffolk County, we report to the Yonkers Regional Office. So Mr. DeAngelis may have made a complaint which was also investigated by the Yonkers office, and typically, they would be contacting us locally for our information; what happened, you know, what was the investigation about, sometimes they will come on-site to review our files, interview staff, and they will then provide a written response to the complainant, and usually we will get a copy as well. I don't recall anything specific to Mr. DeAngelis's complaint.

LEG. FISHER:

Question, Legislator Caracciolo.

LEG. CARACCILOLO:

The first question I had you just answered, you don't recall a complaint from the state. Do we have anyone one employed by the name of Mrs. Jones or Ms. Jones, I know that's a common name?

MS. MO:

We do have a supervisor -- we do have a supervisor by the name of

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Ms. Jones.

LEG. CARACCIOLO:

Okay. So administratively, you were never informed of Mr. DeAngelis's complaint.

MS. MO:

I was not personally aware of it.

LEG. CARACCIOLO:

Is there anyone one else in the department that would?

DEPUTY COMMISSIONER DIAZ:

No, we -- I have no information about this case at all. This is the first I have heard of it. And that's another recourse that -- that the public. They can certainly contact the Commissioner's Office and frequently do contact the Commissioner's office directly, we work with our divisions, in this case, Family and Children Services, and we would investigate a matter like this.

LEG. CARACCIOLO:

Clearly then, give the fact that you don't have any first-hand knowledge, which we can appreciate, I would assume that before you leave today you will contact Mr. DeAngelis, try to get some additional information and look into the matter and perhaps get back to the Legislature and this committee.

MS. MO:

Absolutely. Sure.

LEG. CARACCIOLO:

Thank you.

LEG. FISHER:

Any further questions regarding Mr. DeAngelis?

LEG. FOLEY:

Thank you, Madam Chair. You mentioned a few moments ago Commissioner, that if clients have some complaints they can either call the Commissioner's Office or some other offices. When a case is opened, is there any kind of paperwork or is it said verbally that if the client is not happy with how things are going or if they want to make a complaint, is there any paperwork that explains where they can make a complaint, who they can make a complaint to or what steps would have to be taken in order to make a complaint?

MS. MO:

In the course of an investigation at the point that a determination is reached, there is a standard letter that goes out advising the client of the determination whether the allegations are founded or unfounded. And it tells them what their legal remedies are. They can appeal to OCFS for a fair hearing, for an administrative review at the state level of the local district's investigation.

LEG. FOLEY:

That's a fair hearing request. However, if someone is unhappy with

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the -- the way an employee is working on the case, is there any

information given to the person at the outset or during the process of the investigation that if, in fact, there is a complaint to make about the department handling of this case, her's who you can contact, or here's the -- if not by name, here's the division or the unit that you can contact if you have a complaint about the way that your case is being handled by the department?

MS. MO:

We don't have a formal method.

LEG. FOLEY:

There' nothing like that?

MS. MO:

No.

LEG. FOLEY:

Okay. Because I think what would happen -- I think it would be important to look into that to see if in -- well, for my own druthers, I think it would make sense particularly at the beginning of the process, but that all the clients would have some kind of an understanding that if they're unhappy about the way a case is being handled, I think they have a right to know what recourse they can take. Now, given the cases that we're talking about, in the nature of the cases, it could be dependant upon the case of a number of complaints whether -- whether they are legitimate or not, but I think at the very least as part of the way that the department and other departments handle client cases, that these clients need to have -- need to know what access or where they can makes complaints about a given -- about the way that a case is being handled. I think that would be -- whether you want to call that -- well, I just think it would make sense to do it. And you may want to look how you could develop that procedure within -- within a give intake process to make them aware of not only what their rights are, but where they can appeal to, not just for fair hearings, if, in fact, they feel the case isn't being handled credibly by whoever is assigned to that case.

MS. MO:

I've written that down. We do have a formal process, it's required in the handling of our Foster Care cases. And it may make sense for us to relook at that.

LEG. FOLEY:

To apply it to some other areas. Thank you, Madam Chair.

LEG. FISHER:

While you are all still up here, Legislator Postal wanted to address an issue.

MR. JONES:

Is this the Medicaid case?

LEG. POSTAL:

Yes.

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MR. JONES:

We have a change.

LEG. FISHER:

We have a change of guards here.

LEG. POSTAL:

Two committee cycles ago at the Social Services Committee, I brought up the case of Steven Donnelly, and I know that was kind of a surprise --

DEPUTY COMMISSIONER DIAZ:

Yes.

LEG. POSTAL:

-- to the Department of Social Services, so that -- I'm sorry -- so that we said that we would pursue it at a later committee meeting. And I would like to ask if I could get some information. Starting kind of backwards, there was a letter of stipulation that was part of it settlement of litigation. And I'm wondering where we were in the process of, I guess, providing the letter of stipulation.

DEPUTY COMMISSIONER DIAZ:

Yes, Legislator Postal, we've had a chance to look at the particulars of your case, and Al Seitelman, Division Administrator for Medicaid is here to respond is that. Al.

MR. SEITELMAN:

Yes. A letter of stipulation had been drafted by the County Attorney's Office, had been forwarded to the individual's attorney. And the County Attorney had made several phone calls to the individual's attorney trying to get a resolution of it and has not gotten a return phone call to resolve it in final form yet.

LEG. POSTAL:

So we're -- we're waiting for --

DEPUTY COMMISSIONER DIAZ:

A response.

LEG. POSTAL:

-- Mr. Donnelly's attorneys to respond to us.

MR. SEITELMAN:

Yes. And the County Attorney's Office has called them several times trying to solicit that response.

LEG. POSTAL:

Now, with regard to the issue of the procedures that took place from the time Mr. Donnelly applied for Medicaid, can you give me any enlightenment on what happened? You know, I don't have it in front of me, but as I recall there was a fair hearing after a denial of a Medicaid application, and there was, I guess, a directive that came from that fair hearing. And if you could take it from there, tell me what happened.

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MR. SEITELMAN:

Yes. The person applied for Medicaid December of '95 and did not supply the documentation that we require to obtain. What there was -- there's a couple of things to say first, is that we have to follow the rules and regulations of the program. And in every case, the administrative law judge upheld our finding and our decision initially. It's only when Mr. Donnelly appealed that decision to a

higher authority than the state administrative law judge were they able to look at it with a little bit more freedom than does a local district have in interpreting regs. The next thing --

DEPUTY COMMISSIONER DIAZ:

May I just interrupt here. Legislator Postal, at the previous session you raised the issue about this particular case. I had some concerns at that point with regard to the confidentiality of the nature of this case for Mr. Donnelly's -- for Mr. Donnelly's perspective and certainly from the department's perspective. At this point, we're not clear as to whether or not this case could be discussed openly and in detail in a public forum without necessarily having the permission of Mr. Donnelly. So I have concerns about that, and I just wanted to state them publically. We can speak in generalizations about the process, but I don't think that we can really speak specifically about the details of this case without Mr. Donnelly's explicit and written permission. If we can --

LEG. POSTAL:

I want to say that I think it's very difficult to discuss this in general terms. I would ask the Chair if at the end of the meeting we could have an Executive Session to discuss this?

DEPUTY COMMISSIONER DIAZ:

That would be -- that would be fine. That would be great. Thank you very much.

LEG. FISHER:

Actually -- especially because he does have his attorney working on it, I think that would be prudent. Okay. We have two speaker cards here regarding the same issue, which is the Shinnecock Hills Coalition regarding the Southampton motels. So the first is Carol Hoeffner. Would you like to come up together? The other person is Mary Schneider. And I see you sitting together, so I thought you might want to come and speak. You'll be reintroducing yourselves when you sit at the mike. Make sure the mike is on, and that you speak into it.

MS. HOEFFNER:

My name is Carol Hoeffner, and I have been a resident of Little Neck Road in Shinnecock Hills in Southampton during the summers for 46 years. Up until about 18 months ago, it has been a safe quiet community where my children, my grandchildren and my family have played in a safe environment. All of this has changed. Now we are being terrorized by a group of youngsters from the motel that are -- there are two motels actually -- that are in our community. Over the last few weeks, they have tried to steal boats, they have pushed an 80 something year old woman on her own property, she's about five foot tall and weighs under 100 pounds. She asked them to please leave her

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yard, they laughed at her. They have killed a baby swan and a duck last week. Another swan is severely injured, they've sliced up horseshoe crabs with a knife. The ducks were hurt -- swans -- with rocks, they were stoned to death. What is to prevent these totally unsupervised youngsters from throwing the same rocks at me or my family and taking the same knife and turning it on me if I come out and tell them to stop that and go home? I also have a small dog. I don't take my dog out on the Island anymore, because I'm afraid to leave him.

School is going to be out soon, this is the last week, and this -- these terrible situations are only going to escalate. There is nothing for these children to do at this motel. There is a pool there, but there's no lifeguard, there's no basketball courts, it's on a highway, both motels are on a highway. They're right opposite the Long Island -- the Southampton University, if you're not familiar with it. They should be housed some place where there is activity for them and where they can have strict supervision. They have absolutely none from what we can see. No one watches them. They're half a mile away from their house, and I'm talking about kids that seem to be anywhere from nine to 12 years old. I don't -- did not let my children wander off on bicycles through neighborhoods that far away at that time. They have no respect for anyone's property or for people. People tell them, stop it, you're doing something wrong. They laugh, push the women around and what not.

We now have to lock our homes and our cars. And I hope when I go back after working all week on this end of the Island, that my row boat is still there, that my lawn furniture is still there, that there are not holes in my windows, that my flowers aren't pulled up. All things like this. We're constantly looking out our windows to see where these groups of youths are and what they are up to today. No one watches them at all. Now, I feel that Social Services put these people into this motel, and they really need to be taking some responsibility for their actions. I -- also am very curious. I had called Mr. Dennis Nowak, Director of Community Relations last week on the 14th of June, and I talked to him and said what I've said to you. And his only remarks to me, well, what did they do to you, what did they do to you. So far, I've been very lucky, they haven't done anything to me. But the odds are getting more in their favor than mine. And I asked him questions about these people. I asked him, where are these people eating, are they cooking in the rooms, how many people are in the rooms? The rooms are very small, the bedrooms in there are maybe twice the size of that little telephone alcove, because I've stayed in this motel. It's been there for many, many years. I knew the gentlemen who built it. And trust me, he would be rolling over in his grave right now if he knew what was going on. And when I asked Mr. Nowak those questions, he told me he couldn't talk to me anymore, and that I should write to my Legislators. And I -- you know, that's why I came here today to be supportive of Mary whose suffered some terrible things through these people. And I really feel that it has to stop, and it really has to start today, and we need your help. We are in a bad situation. We are members of the community, long standing, and we -- we should not have to live in fear and lock our door because of some youngsters that do not know how to behave. Thank you.

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MS. SCHNEIDER:  
Mary Schneider.

LEG. FISHER:  
Mary, go ahead. Yes, we won't ask any questions until you've both completed your statements.

MS. SCHNEIDER:  
Well, last night my three year old, in his prayers, asked for this to stop. That's hard. He went to feed the swans, and they are no more swans, they all left. I was born there 33 years ago today. I was

born seven minutes from this motel. I've lived there my whole life. There is nothing to do in this neighborhood unless your parents can drive you some place. That's -- I know, trust me. March 2000, a nine year old boy was physically assaulted in his own home by two teenagers from the motel. That's when we first went to Southampton Town. And it seems that we have been put on the back burner. A sex offender was placed there. I live three houses behind this motel. A sex offender was living there, he wasn't placed, I found out he was -- he went to stay with his girlfriend who let him stay with her. And then a few of us got together, people were coming to my house because I came on May 7th to voice my concerns, basically for the children living in the motel. I am teacher, I'm a parent. And I'm concerned for children that are six, seven, eight years old playing in the middle of the road. Now I'm finding there are teenagers playing chicken on a highway at 1:30 in the morning. I hear kids playing in the yard at 11:30 at night. I see -- now I'm on maternity leave, which is why I'm here, but I see them in the parking lot playing during schools hours. They're not in school. I've called Child Protective Services. They tell me that there's nothing they can do because they don't what schools the children attend. I called Child Protective Services again when my neighbor came over because a gun was in the hand of a eight year old. The eight year old opened his jacket because he told him to get off his property, and he said, what are you going to do. They said it's a police issue, not a Child Protective Services issue. He's got a gun, he's eight. A meeting we thought we would have about 20 people, over 150 people showed up at a meeting, neighbors, that have concerns.

These are just a few of the things that were brought up; a nine year old boy physically assaulted in his own home; and 86 year old woman physically assaulted on her yard. Her yard is right on the water, and there were children playing in the water, they're taking off their clothes, they're swimming, jumping off her dock unattended, and she doesn't want -- God forbid anything happens to the kids, it's on her property, she's going to be held responsible, she doesn't want kids on her property. They physically assaulted her, she called the police, the police said you have to learn to stand up to them. Meanwhile, who came to her rescue? Her 78 year old neighbor.

Two baby -- the swans, one died, the other one they're trying to rehabilitate. I'm not a swan lover, it's just my kid can't feed the swan. Living horseshoe crabs are actually being sliced open with knives. My one neighbor actually has the pictures of this, they're in the camera, they're getting them developed. She's heard them opening the crabs and laughing, he's still breathing, he's still breathing,

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and then they throw them on the side until they die. The teenagers playing chicken at night. My neighbor was carrying his ten month old son, he was hit in the head with a rock. My other neighbor was home with her nine month old, she was threatened with a BB gun. She's actually -- her and her husband are the ones that have really gotten this whole thing started. Bikes, boats, vehicles are being stolen. The Hess Station was robbed at knife, and the guy got away on a stolen bike that he stole from my other neighbor, which they did catch them after blocking off the roads. My -- a neighbor in his 60s, since 1985 has walked everyday down our streets, two weeks ago was confronted by a group of teens asking for money. He didn't have any, he had to pull out his pockets. They were following him down the road. I have a copy of that police report.

Now, honestly, would you buy a home in this neighborhood? Would you want to raise your kids in this neighborhood? And to me this is what you're sending to my neighborhood where I grew up, and it's not fair. It's not fair to the kids, they have nothing to do. It's not fair to my kids and it's not fair to me. Like I said, I was here May 7th voicing my concerns for the families that are being placed here, but now I'm here voicing my concerns for myself as well as the families. I myself have witnessed -- I had eight to ten kids run in front of me jumping from the bushes as I drove down the road. I swerved to avoid them. I was driving down the highway, I saw three kids. The oldest one had to be eight years old on a little bike balancing to drive down the highway. They fell into a side road, the car coming up to the stop sign had to swerve to avoid hitting them. I've been in this motel, I've bought like three bags of clothes over for the kids. It's disgusting. It is so dirty, I would not let my dog sleep in the lobby of this motel. I talked to three kids that were playing on a construction site, and I went over to talk to them, because I didn't want them to get hurt. And they were the sweetest little kids. There were two second graders and a first grader. I didn't yell at them, I just said that, you know, I don't want you kids to get hurt. They told me I live in a castle. I don't have a big house, that broke my heart. And they need something else, they need a place to be, they need a place to go.

I just -- like I said, all these neighbors came together. I heard their and the frustrations. And I have 43 police reports that to the motel from January 12th of 2002 to May 31st of 2002. Of those, I thought most of them would be calls from my neighbors. Only four were from my neighbors. Thirty-nine -- 38 calls were from the motel residents themselves. The families that you're placing there are calling and asking for help. Most of them are domestic disputes, 14 had juveniles involved, knifing incidents, knife lacerations, choking, wrestling. A child was choked on the bus by another child, so they called the police. A Southampton press article, a woman who was placed there in January of 2002, said that she and her five children lived in one room at the motel. She was frightened when her children went outside to play. Quote, one boy my age had a knife, said Donald, age seven, they were fighting every time. This is a seven year old fighting with a knife, and his mother will not even let him go outside to play. I know a roof has to be put over their heads, but I don't understand -- I know it's a federal law. But to me it seems ridiculous that \$23 million was spent last year on housing, \$42,000 a

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month on taxi rides, \$20,000 to store belongings, 194,000 a month to deliver children from school to motels. And yet, these kids have nothing to do, and they live in a room smaller than a garage with a hot plate.

It's just -- my neighbors, we urge you to do something before this gets completely out of control. Thank you. And, you know, swans are dead, a duck is dead, what's going to happen when a child is dead or an 86 year old neighbor is dead? Newsday comes out, ABC comes out, you knew, and we can tell them Social Services knew, they've known since March of 2002, Southampton Town has been made aware of problems. And since May 7th, the first time I was here physically, I can say they were warned this was going to happen. Eight year olds have guns, seven year old have knives, they're threatening older people in the neighbor. And my three year old is scared. We both put in alarm

systems. The alarm company loves us out there. And if you don't mind, my neighbor who couldn't be here, she asked me to read this.

"The following is a brief list of our personal experiences we have had to face dealing with the Southampton Bays Resort Motel situation. This past spring, my husband was driving westbound on Old Montauk Highway when he had to come to a complete stop because five teenagers were lying down in the middle of the highway playing chicken. After he stopped the truck, the teenagers got up and started yelling, you punk white bitch at him as he proceeded to drive away. On Thursday May 16th, the motel residents trespassed onto our neighbor's property and proceeded to throw rocks into my pool and directly at our guests' heads. Police were immediately called. On Memorial Day Weekend, we were awakened around 2:00 a.m. by the motel residents screaming and police sirens. This, to our knowledge, was a stabbing incident. They would not give me that police report, that was, however, a knife threatening incident. Thursday May 30th, I heard motel residents trespassing on the property adjacent to mine in the brush, and when I went out to bring my dog -- and she also has a nine month old -- they verbally threatened to get their BB guns out. I immediately called the police. One day last week, I was driving home and almost hit three kids on two bicycles as they came flying out of the dirt road where the tennis courts are located and directly into the main road without even looking or attempting to stop. It is a rarity when we can go to bed without having to listen to fights among the residents themselves. Last week a man and woman were severely arguing because she had taken off for two days on a crack binge. We have to keep the windows shut in order to sleep at night. We shouldn't have to live like this."

And I have 43 police reports I'd like to submit as well as the minutes of the meeting that we had on June 8th of the neighbors and just a breakdown the police reports. I believe Mr. Jones had wanted those.

LEG. FISHER:

Thank you very much, Ms. Schneider. Thank you, Ms. Hoeffner for coming before us, because I know we certainly have questions for DSS, but if you have questions for Ms. Schneider or Ms. Hoeffner.

LEG. GULDI:

No, my questions are for DSS.

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LEG. FISHER:

Okay. Ms. Schneider, in your remarks you -- you said something which has certainly always been a major issue when we have people who are the poor people who are living in those motels are generally victimized as much as anyone who's living in the surroundings. And as you said, many of the police reports are from other residents of the motel who are also being victimized, who are being harassed and are suffering under the specter of fear and violence. We will be discussing a number of issues with DSS, issues that you had brought up. We certainly have a lot of questions for them. So thank you very much. Are there any other questions for Ms. Hoeffner or Ms -- thank you very much. And we'll ask DSS to come on up.

MS. SCHNEIDER:

I don't mean any disrespect to what you said, there -- they have Social Services looking out for them, we don't have anyone looking out for us --

LEG. FISHER:

I completely understand what you're saying.

MS. SCHNEIDER:

They're fed up, and they tell us to just keep calling, keep calling.

LEG. FISHER:

My point was that it is not only the people who were there before the motels were used to house homeless people, but also the people who are being housed there are also being victimized. So it's not simply the neighboring communities, but people who are living there as well.

MS. SCHNEIDER:

Thank you.

LEG. FISHER:

When you do see animal brutality, it -- it certainly makes your own fears much more acute, because you see what people are capable of doing. I would like DSS to come on up so that we can ask questions.

LEG. POSTAL:

I know I'm not on the committee.

LEG. FISHER:

No, go right ahead.

LEG. POSTAL:

I just have a question. Have you been aware of the school-aged children who are not in school during --

LEG. FISHER:

Yes, that's one of the questions we have for DSS.

MS. SCHNEIDER:

I actually called CPS about it.

LEG. POSTAL:

Sorry.

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LEG. FISHER:

That's okay. No, that's exactly right on target. And that was one thing we wanted to discuss with DSS.

MS. SCHNEIDER:

All day long I hear there was five of the them playing. I know school's out Friday where they go to school. A lot of them go to Tuckahoe School, and their last day is Friday. And this morning on my way here at nine o'clock, there were five kids playing in the parking lot, like seven, eight, nine years old.

LEG. FISHER:

And you said you have been witnessing this since you've been home on maternity leave.

MS. SCHNEIDER:

I leave three houses behind. And before my maternity leave, I would witness things like at four o'clock and I thought it was because they were home from school. And there was a, like, a seven year old

walking an 18 month old in her stroller down the middle of my road, kids coming up to me at night. And I just thought it was because it was after school and they were playing in my neighbor's yard, but they weren't doing -- they were trespassing, but they weren't doing anything instructive. And they were just little kids, and I didn't feel the need to do anything, because they weren't hurting anything. But it's beyond that. And that's why now it's like everybody's just over a limit. Thank you.

LEG. FISHER:

Thank you. We'll have DSS come up because we do want to clarify some questions that we have.

MS. SCHNEIDER:

Thank you for your time.

LEG. FISHER:

Thank you very much for coming. I think what we'll do is we'll ask the questions in categories, because we have the issue of supervision of the facility, what kind of supervision is there, the issue of weapons in the facility, the issue which we're going to be discussing in more detail at a subsequent meeting, which is the issue of children and truancy, homeless children who aren't attending schools, the issue of tolerance, once there has been a police report, once there is someone who has been convicted, do they go back. So we have a variety -- we have a laundry list of the questions about how these are run. Let's start from -- from the top with the supervision and security at these motels.

DEPUTY COMMISSIONER DIAZ:

I have Roger Barbaro, who is the Division Administrator for Housing Services. As you all well know, the homelessness problem in Suffolk County is at a very critical level, and that has forced the department to utilize motels reluctantly, but certainly as a necessity, to -- to house our close to 500 families. Actually, that number has dropped a little bit. But Roger can speak in detail in terms of the usage of motels.

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MR. BARBARO:

As you heard, my name is Roger Barbaro. I'm the division Administrator for Housing and Adult Services. Currently, our department has about 110 families residing in motels. A few months back, we had 160 families living in motels, so we have dropped the numbers. And basically the way we do that is by opening more shelters. We're in desperate need of more shelters. We've -- we've done, I feel, a pretty good job in increasing our shelter space in the last few years. We now have about 120 more families living in shelters today -- today than we did three years ago. But it hasn't kept up with the homeless crisis as this body of government has labeled it. We are using motels out on the East End. We are using them a little bit less now than we did. And we very much want those families not to be there. Our goal is to not only have them in shelter, but even if we can't do that, to move them west, because most of those families come from the western part of Suffolk County.

LEG. FISHER:

What is the supervision -- the supervisory structure at the motel?

MR. BARBARO:

Okay. Every motel is different. And actually this particular motel we've been using for almost three years, and only until recently, we really never had complaints. I think it was -- it's always -- they've had decent management there, they do have security at night.

LEG. FISHER:

So it's the motel itself that provides the security?

MR. BARBARO:

The motel provides the supervision.

LEG. FISHER:

So DSS doesn't provide any supervision?

MR. BARBARO:

No. What we do is we visit the motel on a daily basis to talk to the families --

LEG. FISHER:

Who is it that visits, a social worker?

MR. BARBARO:

A social worker from our division. We not only interview the families, but we everyday meet with the management to ask if there are families that are presenting problems for them. The families that are problematic, we try to move out of the there as soon as possible. Sometimes that day, sometimes it takes longer until we can find an opening for that particular size family, but that is -- the role of that worker that visits everyday is to try to find out who the problem families are to move them elsewhere.

LEG. FISHER:

Now, what about these police reports that have been submitted?

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MR. BARBARO:

Well, we have not seen any police reports. Today will be the first time we look at them.

LEG. FISHER:

What is the threshold to be considered a problem family, a police report, neighbor's complaints? What creates that nomenclature?

MR. BARBARO:

Usually it's not police reports. I can't recall police reports. It's usually management says that they're having a problem with this family, they're -- they're fighting, they're -- they're loud, they're drinking, they're doing something that we consider to be inappropriate. We allow -- we ask them if they're getting complaints from neighbors. That's a routine thing we do. We have learned in these past few weeks a lot of the complaints you heard here today are valid. We've heard the same. We've moved some families out recently. The key for us as long as we're still using this motel is to try to keep the best possible mix of families that don't present problems. As I said earlier, we prefer not to even be in this motel or any motels. But that doesn't look like that's going to change in the near future because, you know, as we said homelessness is a crisis. There are families -- more families presenting themselves everyday. We're

coming into the time of year where usually homelessness rises; July, August, September, October, November our usually high months. This is a usually a slower time.

So we're not anticipating getting out of the East End motels in the near future, but I will say this, as you know, there is a task force, the County Executive's and Presiding Officer's Task Force on Homelessness. And this particular issue, especially since that public hearing where -- where so much was brought to our attention on the task force, has been discussed in great detail. And I think you're going to see recommendations that come out of this task force -- I think it's due to come out in the early fall that are going to try to address the issue, because I think the entire task force feels strongly that the East End should not be impacted as much as they are by the west end's --

LEG. FISHER:

The fall is much too late. These kids are now going to be out of school. I know that I would be very concerned if I had kids who not knot in school during the school year now facing the summer. I believe there should be some kind of supervision. Obviously the management is not doing enough. I think you need a professional person. The Love 'Em Shelters in Port Jeff is in my district, and -- now when I've gone there, this is -- there is supervision there all the time. I thought that that was the norm.

MR. BARBARO:

You're correct. At our shelters there is a 24 hour supervision, seven days a week.

LEG. FISHER:

But this is a de facto shelter, right?

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MR. BARBARO:

No, it's not. It's a motel.

LEG. FISHER:

I mean, you're sheltering families. How many families are in here?

MR. BARBARO:

I think there are 22 today.

LEG. FISHER:

So then it's a shelter, isn't it? If you are sheltering homeless families -- just walk me through this, because I'm ignorant of this. I thought if you had -- if you were sheltering homeless families and you had the preponderance of the people who were at the motel are now people being who are being sheltered, then wouldn't that constitute it being a shelter?

MR. BARBARO:

It's not a shelter by any definition of the state. It's really like a holding pattern until an opening occurs in a shelter.

LEG. FISHER:

But the people who are surrounding and the people who are living there are at risk, yes? I mean, we are acknowledging that the people are at risk.

DEPUTY COMMISSIONER DIAZ:

The alternative is however not to house people at all and to have people literally milling about the streets with their children. That's really --

LEG. FISHER:

But I'm looking at a different alternative, having a professional there as you do in the shelters, that has what I'm saying. Is that a possibility that has been discussed at the task force? So that there is some kind of security saying --

DEPUTY COMMISSIONER DIAZ:

That would in essence --

LEG. GULDI:

Legislator Fisher. If I may?

LEG. FISHER:

Certainly. Legislator Guldi.

LEG. GULDI:

We had -- I introduced a bill to require precisely that. And last session it was debated and ultimately rejected in favor of Tonna sponsored bill that created 19 other rules and regulations for hotels. But the difference was --

LEG. GULDI:

Now, I thought was about also the cleanliness and --

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LEG. GULDI:

No, that was the Tonna. The four -- the four items in my bill that were not in the Tonna bill, which were additional ideas were security, Social Services, public health nursing and -- I wish I could remember what the fourth one was.

LEG. FISHER:

Wasn't it the condition of the --

LEG. GULDI:

No. The conditions were in with both bills, and they were adopted.

LEG. FISHER:

Okay.

LEG. GULDI:

Conditions, occupancy, cooking facilities.

LEG. FISHER:

Okay. Because that's what I had recalled from that bill.

LEG. GULDI:

What wasn't approved by the Legislature was the bill for security, Social Services, public health nurses to take the burden of Emergency Services off of -- off of local volunteer departments and to your -- does anyone -- do you remember what the what the fourth requirement was from that legislation from last year?

MR. JONES:

You said the nurses?

LEG. GULDI:

Yeah. The public health nurse to handle routine medical. I don't remember what it was.

LEG. FISHER:

Sylvia, that's what I'm thinking of. Certainly I know we have a crisis. I know we have to house people, but I just want to protect the people who are being housed there and protect the people who are in the neighborhood.

LEG. GULDI:

If I may. What we did at the problem location we had last year in Best Eastern Motel in East Quogue during the pendency that that legislation was being considered, the owner who happens to be the same owner, if I am not mistaken of this motel.

DEPUTY COMMISSIONER DIAZ:

No. No, that is incorrect. That is incorrect.

LEG. GULDI:

Oh, it's dad instead of the son. The owner who happens to be the same family as the owner of the other hotel provided full time security at Best Eastern for the last period we were -- that we were utilizing it as a County; am I correct about that?

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DEPUTY COMMISSIONER DIAZ:

Well, actually, we -- we, in fact, arranged to have our staff go out and provide security.

LEG. GULDI:

Oh, I had understood that we were -- so my bill required it to be --

DEPUTY COMMISSIONER DIAZ:

No, we --

LEG. GULDI:

-- done at the owners expense. We did that at County expense at Best Eastern? I thought it was at the owner's expense.

DEPUTY COMMISSIONER DIAZ:

It was for a very short period of time while we transitioned families from that facility.

LEG. GULDI:

Okay.

DEPUTY COMMISSIONER DIAZ:

So it was probably less than a month, and we had our staff from the hours, I believe. It was from four or six o'clock in the evening until about midnight.

LEG. GULDI:

Well, the concern I have is your tell -- said there's night security at the present location in Southampton. They're -- they've been doing a wonderful full job, they're totally invisible, they must be undercover. And I don't think that they're having -- from what the neighbors are saying and what the police reports -- which I had an opportunity to review earlier before the meeting -- reflect, they're

not having a great turned effect. Maybe someone should check exactly what they're providing as to whether or not it's appropriate. I am sorry for interrupting.

LEG. FISHER:

No. It's okay, because there are only three of us here and if you want to jump in, we won't stand on ceremony. Legislator Nowick. You know what, I just heard Dennis Nowak.

LEG. NOWICK:

Yes. Sylvia, when these families in these hotels become a problem, where then -- and you know about it and they're substantiated -- where then do they get moved to?

DEPUTY COMMISSIONER DIAZ:

It's extremely -- it's extremely problematic when these families present with problems that impact either other residents or neighbors. We do take action and try to move them out and --

LEG. NOWICK:

Where do they go?

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DEPUTY COMMISSIONER DIAZ:

-- and really move them to another motel. There really isn't -- there aren't many other options. In some cases, some of these families aren't even welcome in our shelter system because they --

LEG. NOWICK:

Do you have complaints in other hotels like we're hearing today?

DEPUTY COMMISSIONER DIAZ:

When we do, we take action relatively quickly, usually the management advises us of a problem, and we -- we encourage that. I mean, I was actually out at the motels yesterday and talking to some of the managers out there. And when -- when they have problems -- and we do have other motels and we do have large concentrations of families in other motels -- they advise us immediately, and we move to remove certain families. We also have an initiative that we've been working on over the past several months with CPS, and CPS does meet with Housing to address some of the issues around the children that are placed as well.

LEG. NOWICK:

The other thing I am very concerned about is when I hear how dirty and filthy these hotels are, that sounds to me like a problem of the owner of the hotel. Now he gets paid for this, doesn't he?

DEPUTY COMMISSIONER DIAZ:

Yes. I actually visited, and I do this every couple of months, go out just to pop in and inspect myself these motels. When I have -- excuse me?

LEG. NOWICK:

Go ahead.

DEPUTY COMMISSIONER DIAZ:

When I have seen any problems like this, for example, at the Best Eastern, that was some months back we visited the Best Eastern. And there were serious problems there. We asked the management to clean

up and to take care of -- of some of the problems that we saw. And he refused, and we subsequently stopped doing business with them. We visit the motels, as I said, yesterday, I was out at probably five motels. I did not see -- we inspected these pretty thoroughly, and we didn't see, you know, the filth. Certainly sometimes what happens is clients come and they have bags, you know, garbage bags with -- full of clothes and they put them down, basically, it may seem cluttered, but I didn't see any in particular of the nature that was described. And when we do see that, we take action immediately.

LEG. FISHER:

Well, by resolution, you weren't on board yet, Legislator Nowick.

LEG. NOWICK:

I remember reading about the resolution. I was not on board, but --

LEG. FISHER:

It was Best Eastern that precipitated that, right?

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LEG. NOWICK:

I know clutter.

LEG. GULDI:

It was one of -- one of -- one of the primary concerns.

LEG. NOWICK:

I know dirt is different than clutter. Clutter, my daughters make. But, you know, I know I as one Legislator here, and I would bet that members of the committee would join with me, I would not be opposed to taking a rode trip to take --

DEPUTY COMMISSIONER DIAZ:

You are welcome, because we do this very frequently, and --

LEG. FISHER:

She just wanted to go out East.

DEPUTY COMMISSIONER DIAZ:

I'll call you. So we have to do this in the summer.

LEG. NOWICK:

And I'm also concerned that there are not many shelters from what I'm hearing.

DEPUTY COMMISSIONER DIAZ:

Absolutely not. That's really at the heart.

LEG. NOWICK:

And I know that's another issue. I have an idea, and I don't know if it's feasible, and I'm so new here, I almost hesitate to mention it.

LEG. FISHER:

Well, jump right in Lynne. We'll support you.

LEG. NOWICK:

When I was in my -- when I first came here, I was busy reading the budget, and that'll put you to sleep, but I noticed that the Foley Nursing Home was not completely filled. In fact, there were many, many empty rooms there. I know this is going out on a limb, but is

there any chance we could make that part of shelters, create playgrounds and basketball courts, and do something with that, or is that just not possible?

DEPUTY COMMISSIONER DIAZ:

We'd be happy to entertain any -- anything like that.

LEG. NOWICK:

I throw it out, I don't know what else to do with it but throw it out at you. But I did read that in the budget, that there's -- there's no capacity -- it's not filled at all to capacity. And I know in this day and age of nursing homes even the private homes, none of them are filled.

DEPUTY COMMISSIONER DIAZ:

We'd be happy to entertain that. Absolutely. We could -- we've been

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working with private not-for-profit shelter providers. We do everything we can to encourage the acquisition of property.

LEG. NOWICK:

That's paid for by the County right now, right? If it's half empty -- maybe I'm -- you know, maybe it's filled since I read the Capital Budget or the budget.

DEPUTY COMMISSIONER DIAZ:

You might want to speak to some of the principals in the Health Department to see what accommodations --

LEG. NOWICK:

Would that not be Social Services?

DEPUTY COMMISSIONER DIAZ:

No. We -- we have no oversight over that facility, but certainly the Health Departments could -- could potentially work toward that.

LEG. FISHER:

Sylvia, would it help if we asked the County Executive to put together a CN for Tuesday to have supervision and security at these two motels?

DEPUTY COMMISSIONER DIAZ:

We -- we certainly would -- you know, we would have to -- we would have to discuss to see how, in fact, that could be -- that could be worked out with the --

LEG. FISHER:

It's very frightening to think of guns being in this kind of situation. Are there checks when these people go in to see if there are weapons? I don't know what kind of privacy is involved here.

DEPUTY COMMISSIONER DIAZ:

No. These are basically families just like, say your next door neighbor became homeless suddenly. They come to our centers, they ask for assistance, we provide them with emergency housing, there's no -- they're not -- the don't rise to a level of higher -- a higher level of scrutiny because they're -- they happen to be homeless. So there are no metal detectors, and there's no scrutiny, again, on -- in terms of how they live and what kinds of -- you know, what they're bringing into -- into the rooms. Certainly again, if there is a problem, they

present with a problem, we're advised of the problem, we immediately go in and investigate it, and if need be, we will take measures to move the family out.

LEG. FISHER:

When you say immediately, within 24 hours?

MR. BARBARO:

We're there every day.

DEPUTY COMMISSIONER DIAZ:

The workers are there everyday and advised by management as to, you know, the type of problem.

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LEG. FISHER:

I know that we have on the agenda, because the Presiding Officer had indicated to me, we're going to be talking about school, you know, what kind of education is being provided for the kids. Are truant -- by the way, do you work with PINS Officers through -- you know PINS -- Probation Officers, are they going into the homes?

DEPUTY COMMISSIONER DIAZ:

I've actually run into the probation offices at motels in the past, and they probationers on site. I don't know if they're necessarily children, but, you know. So wherever the families are and if they have some involvement with Criminal Justice System, sure. That's -- that's the case.

LEG. FISHER:

Now, these kids, this summer, where are they going to go? They're not going to be in school. It's a scary prospect for the people who live around them, especially the 86 year old lady.

MR. BARBARO:

Some of the them actually will be going to camp, but that's only for a few weeks. We've enrolled some in camp, Girl Scouts Camp. For some, and I think a different camp for the boys, but this is a problem, because it's only part of the summer. And there are -- you know, this particular motel that we're talking about has a very large grounds for them to play, but, you know, you can't lock them in and tell them that they absolutely can't leave the grounds. But there is a lot of play facilities for them; basketball courts, tennis courts, swimming pool.

LEG. FISHER:

Okay. Sylvia will you get back to me perhaps if you could have the County Executive's Office and with the Presiding Officer regarding some kind of security and supervision, particularly because we do -- we will have -- it's a large number of people concentrated in one place. I think for the safety of the residents in the motel as well as the safety of the neighbors, I certainly think it calls for having some kinds of level of the security provided by the County. It's just not fair.

DEPUTY COMMISSIONER DIAZ:

Well look at this immediately internally, and then I'll move forward from there. Absolutely.

LEG. FISHER:

And if you need -- you know, if you could talk to the County Executive

about a CN so that we could provide security and -- and supervision here at these motels when they reach a threshold, when you're talking about having -- at this point, it is an ad hoc shelter. It is a shelter. And we should provide for this shelter what is provided at any shelter in Suffolk County. And maybe we can -- we'll talk about it, establish a threshold. Once you pass a certainly number of families or a certainly number of kids, we should have provisions. We shouldn't just throw them out there and let the chips fall where they may. I know I for one will support it, my colleagues who are sitting here are saying they would be in full support of that. So if we could try to put something together before Tuesday, it would really be good.

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DEPUTY COMMISSIONER DIAZ:

We will -- we will certainly as I said, immediately look at this.

LEG. FISHER:

We're three out of 18, but I think we'll get more on board.

DEPUTY COMMISSIONER DIAZ:

The other piece, of course, is funding, consideration for funding of such an issue.

LEG. GULDI:

I have two points I want to make. One is the reimbursement rate for emergency housing is higher than the emergency -- than the reimbursement rate for shelters, yes or no?

MR. BARBARO:

No. No, it's similar. It's 25% County, 25% state and 50% --

LEG. GULDI:

The dollar -- the dollar amount, though? Isn't the dollar amount for shelter housing with hired services lower than the dollar amount for emergency hotel housing?

MR. BARBARO:

No. For the most part, shelters are more expensive than motels.

LEG. GULDI:

But the reimbursement rate for -- per room for the motels is approximately what?

DEPUTY COMMISSIONER DIAZ:

It's the same.

MR. BARBARO:

Rooms range in Suffolk County from, I think, a low of \$70 to a high of \$160.

LEG. GULDI:

A hundred and sixty dollars a night.

DEPUTY COMMISSIONER DIAZ:

A family.

LEG. GULDI:

So on a monthly \$160 night is about \$4500 a month per room. The bill that I had proposed required -- the hotel operator who's receiving the \$4500 a month per room to provide the security at his expense. Did

the department have a problem with that?

DEPUTY COMMISSIONER DIAZ:

Not at all.

LEG. GULDI:

Okay.

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MR. BARBARO:

It's possible we could lose -- which would good for some areas, lose some motels, but then that would leave us in a position of no place to put families.

LEG. GULDI:

Which would -- dovetails perfectly with my other question, which is that's it's my belief and it has been mt belief for a long time that nobody belongs in a hotel for emergency housing. What we need to do is build and provide the shelter volume that we -- that we require in Suffolk County. Now, granted you testified early that in the last three years there's been 120 unit increase in shelter housing throughout the County, that's fine except for the fact that we're 110 units short of what our need is now, and you and I both know that come the fall, we're probably 250 units short of what our need will be in the fall. So what is it we are doing so that we will have 250 more units of shelter housing in service by September?

MR. BARBARO:

You need to keep in kind -- you need to keep in mind that there is a local law that was passed recently by this body that limits where we can put shelters, limits how many shelters we can put in an area. And that has been problematic for us. We said at the time that it would result in more people being in motels, and that's exactly what has happened since that bill was passed.

LEG. GULDI:

Hold on. Let's back up. All right. You didn't answer my question though. Instead you said the local laws precluding you from finding sites. My question is specifically what is it the department has on the boards for more shelter housing today? What's in progress? What are you looking for sites for? How many sites do you need? What do you have for operators? What's being constructed?

DEPUTY COMMISSIONER DIAZ:

We just recently issued an RFQ for the creation of additional shelters in Suffolk County. We have approximately 30 interested providers of those services. Those providers are now out seeking the locations within the context and the confines of that legislation that was passed to -- to locate facilities. We've been working very aggressively as a department to create additional shelter beds. Ultimately, ultimately, it falls back on the respective townships and Legislators within the townships to encourage that and support the efforts of these shelter providers who are out there really looking for these facilities. That's the answer to the problem.

LEG. GULDI:

I agree. All right. Other than the 30 interested parties who have responded to the RFQ or are seeking sites, do we have any under contract, under construction, that will be coming on line in the foreseeable future?

DEPUTY COMMISSIONER DIAZ:

To my knowledge, there are a few proposals that we've heard about. I'm not -- certainly wouldn't be in a position to discuss them at this point.

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LEG. GULDI:

Nothing's going to be on the proposal site, we don't have anything that's under construction that we expect to be coming on line? I mean, we had something coming on line in Bellport or East Patchogue recently. I remember, you know, it was -- we had contracted for it, it was approved by the town, it was being built and it opened last year, the part of the 120 beds you talked. Obviously shelters don't pop up overnight. The question is what's on the boards? What's being build now that we know of?

DEPUTY COMMISSIONER DIAZ:

We are -- I'm unaware, and I would be very happy to be reporting otherwise, but I'm unaware of any construction for -- for congregate shelters at that magnitude, at that level. How many beds did you say?

LEG. GULDI:

Well, we've got -- you said we increased to 120. How many beds do we have in shelters now in the County under contract with us?

MR. BARBARO:

Not beds, we go by families. We have 367 families living in shelters.

LEG. GULDI:

Three hundred and sixty-seven up from 247 over the last three years, but we are looking at what, with over 100 families in hotels now with a reasonable anticipation, if the economy's not getting worse, ha-ha, of that at least doubling in the fall?

DEPUTY COMMISSIONER DIAZ:

Historically those numbers have increased in the fall, and we anticipate that that will not change.

LEG. GULDI:

So we're -- we've got 360 beds, and basically -- or families, and we're basically and we're 250 units short?

DEPUTY COMMISSIONER DIAZ:

I would -- I would say that that's a reasonable assumption.

LEG. GULDI:

Right. So I mean, the real solution to this problem isn't tinkering with motel rooms that were designed in 1950 -- designed in 1950 whatever, it's to come up with a plan, and a solution to build these 250 units yesterday and get them rolling on that.

DEPUTY COMMISSIONER DIAZ:

Yes. A similar initiative to what -- what was constructed at Brookhaven, Hempstead Harbor, in Bellport, which is --

LEG. GULDI:

That's the one I meant.

DEPUTY COMMISSIONER DIAZ:

Oh, all right. That was about ten years ago. And it's actually at this point, facing a potential closure, which would, in fact, give us an additional 70 families that we would have to place should -- the

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terms of their lease have them turning the property over. So add that to your 250 and.

LEG. GULDI:

So we're now up to 320.

DEPUTY COMMISSIONER DIAZ:

If that -- again, it's a few years away, I think it's 2005, but when it comes to -- in terms of the department planning, we're certainly looking at that three years down the road.

LEG. GULDI:

All right. So let's -- let's -- I mean, realistically, let's -- let's -- in addition to dealing with short term problems, let's figure out the plan and the program for building these units and getting them on line. Because unfortunately, this is one of the businesses that we're not going out of.

DEPUTY COMMISSIONER DIAZ:

We'd like to be.

LEG. NOWICK:

I just want to make one quick comment. I'm very concerned on the short term with these young children that have -- do not seem to have anything to do for the summer? How -- how many of them -- how come they're not all going to summer camp or for programs? You say Girl Scout Camp, I remember Girl Scout Camp being like two weeks. They seem -- the summer even in the best of families when you have young children is very long. Even when they're 18 and 20. Now I'm concerned, two weeks is not going to do anything for them. And why don't they all go? I mean, there is funding for this, right, for summer camp programs?

MR. BARBARO:

The state funds for two weeks.

LEG. NOWICK:

That's it? And the County doesn't fund any more than that? That's the only funding, two weeks?

MR. BARBARO:

The County pays 25% of that.

LEG. NOWICK:

Oh, for two weeks.

LEG. FISHER:

What about job corps? What about work for the teenagers? Is there an active outreach by the Labor Department for these teenagers?

MR. BARBARO:

We did try last year with the Department of Labor and found that unfortunately most of these children were not interested in taking Department of Labor jobs. Part of the problem was transportation to the jobs, they weren't, you know, they weren't close to where our

motels sites are. But there was -- there was an effort last summer to

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try to do that, and it was unsuccessful.

LEG. FISHER:

Maybe the town would help with transportation and we could get these kids jobs.

LEG. NOWICK:

Mandatory jobs.

LEG. GULDI:

With all due respect, I think we had the Parks Commissioner in reporting to Human Resources that he can't find personnel to fill the positions in the East End parks to meet the County's needs of them.

LEG. FISHER:

Well, what Mr. Barbaro just said was that when I asked precisely about teenagers and working, he said that there's a problem with transportation. And my suggestion is maybe that's another place that we can explore with the towns as far as helping them with transportation to get to the jobs. You have to think about all the different ways that we can address this.

LEG. GULDI:

Actually, so far since we've started talking about transportation, only two staff members have come by and said, the Labor Department has vans for taking people to work. We have a program, we have the personnel, we have the equipment. What we need to do is coordinate the Labor Department with, you know, we've got a need in the Parks Department and a resources -- and a need in, you know, Social Services and --

LEG. FISHER:

And a need in the community.

LEG. GULDI:

-- and the resources in the Labor Department. Hello. How do we put this together?

DEPUTY COMMISSIONER DIAZ:

We can certainly discuss that and that would help us with the kids that are eligible to be employed. There are a group of kids that are under -- underage and would not necessarily be eligible or --

LEG. FISHER:

I'm task oriented.

DEPUTY COMMISSIONER DIAZ:

You're multitasking.

LEG. FISHER:

Okay. What we're saying is that we're seeing -- look it's usually not the eight years old kids who are the biggest problem, okay, they can be problems, but if we have 14, 15, 16 year olds, 17 year olds who have no jobs, they're not going to go to camp either year. You know, the 16 year olds are not going to go to Girl Scout Camp necessarily.

LEG. GULDI:  
The boys might.

LEG. FISHER:  
The boys might. Okay. And maybe we can contact the Labor Department about going out there and recruiting some workers. By the way, speaking about boys going to girl scout camp, Ms. Schneider mentioned early somebody was a sex offender being placed, do you know anything about that or what would happen in that case? He had been placed and then he left to live with his sister, is that what you said, Ms. Schneider. I'm sorry, you have to come forward. It has to be on the record. Thank you.

MS. SCHNEIDER:  
When this happened what happened is -- he was let out of jail, and he went to live with his girlfriend who was there. I spoke to the Lieutenant who covered the case. He went to live with his girlfriend who was there, and he was there for three weeks before he broke probation and the could actually go in and get him and find him. So he wasn't placed there by Social Services, but he was living there for three weeks with someone who Social Services had placed there.

LEG. FISHER:  
Actually, with our new law, he wouldn't be able to do that.

DEPUTY COMMISSIONER DIAZ:  
Well, he's actually -- obviously was not a person on the case. So we wouldn't even have been aware of this man's existence.

LEG. FISHER:  
Okay. He wasn't placed there, he just went.

DEPUTY COMMISSIONER DIAZ:  
When this was brought up previously, we actually looked back to see if we could find this person, and were unable to. And I guess that's actually the reason why, because he wasn't on the case.

LEG. GULDI:  
Right. Okay.

MS. SCHNEIDER:  
Can I just make a comment? I'm sorry. I'm hearing -- Ms. Fisher and Ms. Nowick, you have great security, but it seems to me like DSS just doesn't seem interested in immediate security. I understand there's a long term solution that has to come around, and it maybe three years, but I don't want to see somebody hurt. And I'm not going to wait three years.

LEG. FISHER:  
Well, I don't want to put words in their mouth and say that they're not interested. I'm sure that there's an interest there. And I think they need time too explore the mechanism of how we would be able to do that. That's what I'm hearing.

LEG. GULDI:  
One of the things -- one of the things I just did when I left the room

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is I went to Counsel's Office and asked him to pull the bill mandating security from last year to amend it to delete those persons --

portions that had been previously adopted and to refile it by five o'clock so it will be laid on the table and before the Legislature to begin the approval process for us to take it up and consider it in -- obviously create a dialog with the department. Okay. We'll be evaluating the bill.

LEG. FISHER:

We as Legislators do have to set that policy and provide the funds for them to be able to do that.

MS. SCHNEIDER:

Because I do know personally from driving by and looking for security since I was made aware that this was what happened in Quogue, I've actually physically been driving past the motel. There is nobody there. You can by at eight o'clock at night -- in the daytime, there are people in the office, but I've gone by at seven at night, eight at night, nine at night, there's nobody within that office. There is no security on those grounds. And we'd invite anybody to a barbecue in our neighborhood who would like to experience this, you've got 100 neighbors willing to accept you for a night.

LEG. GULDI:

The question is are we being invited to the barbecue as guests or as an entree?

MS. SCHNEIDER:

Well, guest the first time. We'll see what happens after that. Thank you.

LEG. FISHER:

Okay. Are there any other questions from the horseshoe? Thank you very much. I think we've certainly planted the seed for further discussion. All right. Legislator Postal asked that if you could just put something in writing regarding the Medicaid issue. She couldn't stay. She didn't think we would go on this long, since we had such a simple agenda. Okay. But never be deceived by a simple agenda is our cry here. Okay. Mr. Koubek, next meeting I think you'll be talking with us about your late report. Okay. That'll be in late July. Commissioner Diaz, you know that Mr. Koubek had spoken with us regarding --

DEPUTY COMMISSIONER DIAZ:

Welfare to work subcommittee, right?

LEG. FISHER:

Subcommittee, right. Okay. What their findings were on the welfare to work and education and training, that kind of thing. He had written me a letter, we had discussed this, and I thought it would be a good idea for us to all sit and talk about it at a Social Services Committee meeting because we never want them to be short. Okay. Thank you very much. If -- yes.

MR. JONES:

Legislator Fisher, I had a question for the committee with regard to

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the ten questions that were presented to the department with regard to institutional care. And we provided answers -- actually, we've been ready the last three committee meeting, but because of other things coming up, it hasn't come for discussion. I guess my question is is

it the pleasure of the Committee to actually discuss those questions and answers in the future, or is the written -- is the written answers sufficient for the committee members?

LEG. FISHER:

Okay. Because it was the Presiding Officer who had posed those questions to you specifically, Ellen, would you know if Paul would be happy with the written responses of if he would like the department to make --

MS. MARTIN:

Bill, I'll speak to him and get back to you.

LEG. FISHER:

Okay. Thank you.

DEPUTY COMMISSIONER DIAZ:

The other piece along the same lime that Bill presented was that we have Family and Children Services turnover information that you requested at a previous session as well. We'll give you that. Should you choice to discuss it at a subsequent meeting, we'll be happy to bring staff along.

LEG. FISHER:

That's good. We can look at it in the mean time. So you have something in writing for us?

DEPUTY COMMISSIONER DIAZ:

Yes.

LEG. FISHER:

Terrific.

DEPUTY COMMISSIONER DIAZ:

Okay.

LEG. FISHER:

Okay. That way we have -- we have a minute to digest it before we start talking about it.

DEPUTY COMMISSIONER DIAZ:

Sure, and if you would just let me know, if -- again, we pull staff in, we pull division administrators in. You know if they sit here then they're not doing all the other work that you want them to be doing so.

LEG. GULDI:

If I may. Counsel's Office has brought me the bill. The fourth difference between my bill and the adopted law was the adopted law requires ongoing maintenance, repairs, sanitation of the motel/hotel. Mine requires that maintenance to meet health and sanitary code requirements. The adopted version doesn't. It doesn't articulate the

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health and sanitary code requirements as being applicable. But the three other areas provide a social workers at least seven hours a day to offer services to the residents, the on-site nurse practitioner on call take care of non emergency health care to prevent the need for recipients to call 911, and the third additional term was to provide adequate security to prevent vandalism, disorderly conduct and illegal

activities from occurring on the property. I'm going to reintroduce this legislation, I'd like the department off the record or otherwise to talk to me so that we can try to find language that works and works for the department rather than -- than jousting over it. Actually, as soon as I -- I've just marked up the copy, I'll be providing you with it, but I'll be working on it right now.

LEG. FISHER:

Thank you very much. Are there any other comments or questions? There being none, I call the meeting adjourned.

(\*THE MEETING WAS ADJOURNED AT 1:20 P.M.\*)

{ } DENOTES BEING SPELLED PHONETICALLY